



## Forest Heights Police Department Policy and Procedures Manual

Subject:	Citation In Lieu of Arrest			
General Order No.	2016-1	Effective Date:	January 1, 2016	
Chapter: 12	Section: 4	Number of Pages:	2	Replaces: GO 2000-52
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### A. Purpose

To establish Forest Heights Police Department (FHPD) procedures for issuing a citation in lieu of arrest.

### B. Legislative Authority

Criminal Procedure Article, § 4-101, of the Annotated Code of Maryland, generally authorizes the issuance of summons in lieu of arrest, for criminal violations that carry a penalty of less than 90 days Imprisonment (with exceptions).

### C. Citation Use - Authorization

1. The summons In Lieu of Arrest may only be issued to persons who reside or who are employed in Maryland.
2. Use of the summons should be viewed as an alternative to physical arrests.
3. Officers will be expected to express justification in issuing a citation in lieu of arrest.
4. Officers are reminded that when they issue a summons and forego a physical arrest, photographic and/or fingerprint evidence will not be captured. This information should be evaluated in any decision to exercise this option.
5. This process will be used only when a suspect is charged and released without a physical arrest. When a physical arrest is initiated, routine arrest procedures and documents will be followed.

### D. Citation use Prohibited

1. For criminal violations that carry a punishment of over 90 days Imprisonment or an exception under § 4-101(C)(1)(2) A-F of Criminal Procedure Article.
2. Peeping Tom Violations (§ 3-902 of Criminal Law Article).
3. Violations of the Natural Resources Articles.
4. In cases in which an offender cannot satisfactorily identify himself.
5. If the involved officer is not satisfied, the suspect will appear in Court, as required.
6. If the suspect refuses to sign the citation.

### E. Completion of Form

1. Charges Section - Where the form requests "did commit the following offenses ..." merely state the section title i.e. Trespass, Disorderly Conduct etc. NOTE: Do not explain the details.
2. Court Date - Officers will use pre-established municipal infraction court dates.
3. Business Address - When a summons is issued to a violator who resides outside of but works in Maryland, his business and phone number will be placed in the right margin.
4. CCN - Central Control Number will be placed on all documents.
5. Report - A report of the incident will be included with each citation. If required, a narrative will be written on the citation.
6. The violator will receive the canary copy. The officer will keep the goldenrod copy. All other copies will be turned in along with the report to the FHPD office. For Juvenile Civil Citations, the officer issuing the citation will mail the pink copy to the juvenile's parents/guardian on the same

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day it is issued.

7. The FHPD Police Clerk will forward the remaining copies, with the exception of the pink copy, to Central Records with a transmittal sheet. The FHPD clerk will enter the arrest in the arrest book, type the appropriate cards, and file the FHPD copy with the report.
8. Central Records will forward the State's Attorney's and District Court copies to the appropriate agencies.

### **F. Abridged list of violations which can be cited on the Summons in Lieu of Arrest Citation**

<b>Violation</b>	<b>Section</b>	<b>Maximum Penalty</b>
Disorderly intoxication	MD Ann. Code, Article B, § 19-101	\$100 Fine / 90 days
Disturbance of Public Peace	Criminal Law Art., § 10-201	\$500 Fine / 60 days
Disturbing the Peace	Criminal Law Art., § 10-201	\$500 Fine / 60 days
Disorderly Conduct – Disorderly House	Criminal Law Art., § 10-202	\$500 Fine / 60 days
Disorderly Conduct-Private Property	Criminal Law Art., § 10-202	\$50-\$300 Fine / 6 months
Litter - Trash Dumping	Criminal Law Art., § 10-110	\$1,500 Fine / 30 days
Off Road Vehicles on Private Property	Criminal Law Art., § 6-404	\$500 Fine / 90 days
Taxi Cabs, Refusing to pay	Criminal Law Art., § 7-104	\$500 Fine / 90 days
Trespass (posted property)	Criminal Law Art., § 6-402	\$500 Fine / 90 days, 1 <sup>st</sup> Violation
Ice Boxes, Abandoning	Criminal Law Art., § 10-109	\$100 Fine / 30 days
Peddling without business license	Business Regulation Article, § 17-911	\$100 Fine
Fireworks Possession or Discharge	Public Safety Art., § 10-110	\$250 Fine
Failure to Leave a Public Building	Criminal Law Art., § 6-409	\$1,000 Fine / 6 months
<b>Municipal Ordinances</b>		
Discharge Firearms	Town Ordinance Code, § 10-1	\$500 Fine / 90 Days
Concealed Weapon	Town Ordinance Code, § 10-2	\$500 Fine / 90 Days
Loaded Firearms	Town Ordinance Code, § 10-3	\$500 Fine / 90 Days
<b>County Code &amp; State Laws</b>		
Abandoned Vehicles	§ 26-162 of Prince George's County Code	\$50 Fine
Drinking in Public	MD Ann. Code, Article 2B, § 19-202	\$100 Fine
Removing Grocery Carts	Criminal Law Art., § 7-201	\$25 Fine
Adultery	Criminal Law Art., § 10-501	\$10 Fine